	Application No.	Applicant(s)
Notice of Allowability	10/729,576	OSTANIN ET AL.
	Examiner	**Art Unit**	
	Ruixiang Li	1646	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Applicants' communication filed on 12/29/2006*.

2. ☒ The allowed claim(s) is/are *26-38, 43, and 44, which will be issued as claims 1-15, respectively*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

            International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

Ruixiang Li

RUIXIANG LI, PH.D.
PRIMARY EXAMINER

EXAMINER'S AMENDMENT/COMMENT

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37

CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no

later than the payment of the issue fee. Authorization for this examiner's amendment

was given in a telephone interview with Peter C. Lauro on January 16, 2007.

Amendment to claims

(i). Claim 26 has been amended as:

26. A method for identifying a test compound that modulates a heterologous receptor in

a MATα *Saccharomyces cerevisiae* cell, said method comprising: providing a MATα

Saccharomyces cerevisiae cell which comprises a heterologous receptor that is

functionally integrated into a pheromone response pathway of said cell, wherein said

cell has the endogenous AGA1 gene deleted, such that the AGA2 protein is secreted

upon activation of said pheromone response pathway; contacting said cell with a test

compound; and detecting a change in the level of expression of said AGA2 protein,

thereby identifying a test compound that modulates said heterologous receptor.

(ii). In claim 27, line 2, replace "AGA2 gene product" by --AGA2 protein--.

(iii). Claims 45 and 46 have been cancelled.

Amendment to Specification

Replace the first paragraph of the specification by the following:

"This application is a continuation application of application no. 09/658,765, filed September 8, 2000, now abandoned, which claims priority to provisional application no. 60/153,300, filed September 10, 1999. The contents of the aforementioned applications are hereby incorporated by reference."

Conclusion

Claims 26-38, 43, and 44 are allowed. Claims 26-38, 43, and 44 will be issued as claims 1-15, respectively.

Advisory Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruixiang Li whose telephone number is (571) 272-0875. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Nickol, can be reached on (571) 272-0875. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, please contact the Electronic

Business Center (EBC) at the toll-free phone number 866-217-9197.

Ruixiang Li

Ruixiang Li, Ph.D.
Primary Examiner
January 21, 2007

RUIXIANG LI, PH.D.
PRIMARY EXAMINER